

To: Federal Communication Commission

From Richard Lea, N5PFZ.

I have carefully read all comments on the NPRM, Docket - 04-37. It is blatantly obvious the FCC has no intention of considering the Amateur Radio Service and other users of the spectrum except for BPL companies and Government entities. Every official response in the post comment filing stage proves this point in the letters from FEMA, The Office of Homeland Security, the U.S. Military, the NTIA and the Aviation radio services thus far. When will the FCC Commissioners, Technical offices and staff realize how detrimental BPL will be to so many legally licensed users of the only spectrum we have to use? I find it ironic that the frequencies proposed for use in BPL deployment fall exactly in the areas shared and heavily used by Amateur Radio. We have no alternative to this singular natural resource. If the interference begins, when and how will the FCC, on a national and global scale take action? Is the FCC prepared to allocate additional spectrum space to the amateur services? Is the FCC properly manned to completely resolve all interference issues associated with BPL and Ham Radio?

The Wall Street Journal ran an editorial on March 23, 2004 that discounted every aspect of the complaints and reality of what will happen if BPL is deployed nationwide. Does the WSJ have a technical staff that has done two years of technical research? We know this is not true.

It is a proven fact that when normal modes of communication are disrupted, Ham radio provides essential and critical communications. The Maritime Mobile Net, found daily on 14.300.00 MHZ saves lives. The Amateur Radio Emergency Services as well as Radio Amateur Communications Emergency Services was used heavily during the attacks on our country. The National weather service relies on Ham's to provide life saving communication on a local, regional and national level. Hurricanes and Tornadoes disrupt power provisions to homes and families in the effected areas. Those natural phenomenon do not effect our capability to communicate life and property saving information in a rapid response. I know for a fact if the FCC did the research, the FCC would understand how many lives are saved each year by being able to communicate through the frequencies allocated to the Amateur Radio Service. I am shocked over the lack of technical and reality research the Commission has done during this entire push to BPL.

There is a wealth of data, testimonials, and highly qualified individuals who see the real truth of BPL. It is and will be a bad idea based on ageing technology that is prone to failure by design. I implore you to consult Ham radio spectrum users on a National level and extend the time for comment for at least twelve months or more. I go so far as to request a moratorium on all BPL deployment until such time as all research can be properly carried out and evaluated. I strongly disagree the FCC has truly weighed all of the evidence nor understood the concerns of Commission licensed users of the 1.7 to 80 MHZ spectrum. There are too many variables to consider in making a decision in this short of a time frame. I, along with many other concerned spectrum users, will to

continue to comment, oppose, and bring forth actual data that BPL will not be able to be governed by the FCC or the entities wishing to sell this service. There are other technologies to reach rural and certainly urban/business areas with high-speed data access. This is why we need more time to evaluate all possible solutions to this equation.

Thank you for your time and attention on this matter and please heavily consider the opponents to BPL.

I am Sincerely Yours,

Richard Lea, N5PFZ